

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECURITIES AND EXCHANGE
COMMISSION,

CASE NO. C17-0405JLR

MINUTE ORDER

Plaintiff,

V.

ANDY SHIN FONG CHEN, et al.,

Defendants.

The following minute order is made by the direction of the court, the Honorable James L. Robart:

The court is in receipt of Defendants Andy Shin Fong Chen and Aero Space Port International Group, Inc.’s (“ASPI”) (collectively, “Defendants”) notice of intent to file a surrebuttal to Plaintiff the Securities and Exchange Commission’s (the “SEC”) reply in support of its third motion for entry of partial final judgment against Defendants. (Notice (Dkt. # 170); 3d Mot. (Dkt. # 162); Reply (Dkt. # 168).) Defendants state that they

1 intend to file a “surrebuttal brief and declarations in order to rebut the [SEC’s] calculation
2 of legitimate business expenses under” *Liu v. SEC*, 140 S. Ct. 1936 (2020). (Notice at 2.)
3 In its reply brief, the SEC claims that “some of Defendants’ [expenses] are partially
4 substantiated” but “the majority of their arguments lack adequate evidentiary and factual
5 support and should be rejected.” (Reply at 2.) As a result, Defendants now intend to
6 “present additional evidentiary support” for their claimed business expenses. (Notice at
7 2.) In their notice, Defendants also inform the court that the SEC “does not object to
8 filing of a surrebuttal so long as a filing occurs on or before August 4, 2022.” (*Id.*)

9 Accordingly, the court ORDERS Defendants to file their surrebuttal by August 4,
10 2022. The court further DIRECTS the SEC to file a response to Defendants’ surrebuttal
11 by August 15, 2022.

12 Filed and entered this 20th day of July, 2022.

13 RAVI SUBRAMANIAN
14 Clerk of Court

15 s/ Ashleigh Drecktrah
16 Deputy Clerk